

Appl. No. 09/653,437  
Amdt. dated September 30, 2004  
Reply to Final Office Action of June 10, 2004

### **REMARKS**

In the Office Action mailed June 10, 2004, claim 52 was said to be directed to an invention that is independent or distinct from the invention originally claimed. The Information Disclosure Statement filed November 20, 2003 was objected to. The drawings were said to be acceptable. Claim 52 was rejected under 35 U.S.C. 112, first paragraph. Claims 42 and 44-52 were rejected under 35 U.S.C. 112, first paragraph. Claims 42-51 were rejected under 35 U.S.C. 112, second paragraph. Claim 43 was allowed.

### **The Amendments**

Claims 44-47 and 49-50 have been amended to be dependent on allowed claim 43. Claims 44-47 and 49-50 were originally dependent on claim 42. No new issues are raised by this amendment and no additional examination of the amended claims is required because the amended claims are now dependent on an allowed claim and further limit the allowed claim.

The Examiner is thanked for a telephone conference on June 24, 2004 where the change of dependency of claims 44-51 to depend from allowed claim 43 was discussed. In the telephone conference, the Examiner indicated the amendment would be considered.

### **Election/Restriction**

In the Office Action mailed June 10, 2004, claims 1-41 drawn to a nonelected invention were required to be cancelled. Claim 52 was said to be directed to an invention that is independent or distinct from the invention originally claimed. Claims 1-41 and 52 have been cancelled without prejudice. It is believed the cancellation of the claims obviates the objection in the Office Action.

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#### Information Disclosure Statement

In the Office Action mailed June 10, 2004, the Information Disclosure Statement filed November 20, 2003 was said to fail to comply with 37 C.F.R. 1.98(a)(1). All references in the Information Disclosure Statement filed November 20, 2003 were initialed except EP 405,545. The Office Action referred to an error in identifying this European patent publication. The EP reference should be EP 405,868 (published 02/01/91) and was considered by the Examiner in an Information Disclosure Statement filed December 26, 2001.

#### Rejection of claims under 35 U.S.C. 112, first paragraph

In the Office Action mailed June 10, 2004, claim 52 was rejected under 35 U.S.C. 112, first paragraph. Applicant does not concede to the rejections in the Office Action, but to advance prosecution, claim 52 has been cancelled.

In the Office Action mailed June 10, 2004, claims 42 and 44-52 were rejected under 35 U.S.C. 112, first paragraph. Applicant does not concede to the rejections in the Office Action, but to advance prosecution, claims 42 and 52 have been cancelled and claims 44-51 have been amended to depend from allowed claim 43. Reconsideration and withdrawal of the rejection is respectfully requested.

#### Rejection of claims under 35 U.S.C. 112, second paragraph

In the Office Action mailed June 10, 2004, claims 42-51 were rejected under 35 U.S.C. 112, second paragraph. Applicant does not concede to the rejections in the Office Action, however, to advance prosecution, claim 42 has been cancelled, and claims 44-51 have been amended to be dependent from allowed claim 43. Reconsideration and withdrawal of the rejection is respectfully requested.

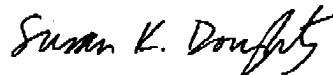
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### CONCLUSION

In view of the above arguments and amendments, it is believed that claims 44-51, which are now dependent on allowed claim 43 are allowable. All remaining claims have been cancelled. If there are any issues remaining to passage of the case to issuance, the Examiner is respectfully requested to telephone the undersigned.

This response is accompanied by a Petition for Extension of Time (one month) Please charge the fee of \$110.00 for a one-month extension of time to Deposit Account 07-1969. If the amount submitted is incorrect, however, please deduct the appropriate amount, including the fee for any extensions of time required, or credit any overpayment to Deposit Account 07-1969.

Respectfully submitted,



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